REQUEST FOR CONTINUED EXAMINATION

In accordance with 37 U.S.C. 1.114, a Request For Continued Examination (RCE) is filed concurrently with this Response To The Final Office Action so that the Office Action mailed February 26, 2003 is effectively made non-final. Under 37 U.S.C. 1.114, the effect of the RCE, which makes the instant Office Action non-final, is to cause examination of the instant application to remain open. Accordingly, new claims submitted herein are to be entered as a matter of right, and *each* claim is entitled to continued examination.

AMENDMENTS

In the Claims

Please amend the claims as follows:

Please cancel claims 2-6, 9-13, 15, 27-29 and 42-49, without prejudice.

50. (New) A method comprising the steps of:

receiving information identifying at least a first level of random access functionality selected by a first user for a first program that is to be provided to the first user at a future time;

assigning a content delivery mode for a second program responsive to at least the information, the second program being provided to at least a second user at a future time; and

enabling a random access function for the first program by transmitting video data that is received at a location of the first user after a request for invoking the random access function is provided by the first user.

51. (New) The method of claim 50, wherein the first level random access functionality include at least one of fast forward, fast rewind, or pause.

52. (New) The method of claim 50, wherein the first program is transmitted via a first digital transmission channel and the video data for enabling the random access function is transmitted via a second digital transmission channel.

53. (New) The method of claim 50, further comprising:

enabling a first level of random access functionality for the first program and a second level of random access functionality for the second program responsive to at least the information, the second level being different than the first level.

54. (New) A method comprising the steps of:

receiving information identifying a first level of random access functionality selected by a first user for a first program that is to be provided to the first user at a future time; and

allocating bandwidth to a plurality of auxiliary digital transmission channels responsive to at least the information, wherein the plurality of auxiliary digital transmission channels enable random access functionality for programs transmitted via a plurality of other digital transmission channels.

E1 cont.

55. (New) The method of claim 54, wherein each of the plurality of auxiliary channels enables random access functionality for a plurality of other digital transmission channels.

56. (New) A method comprising the steps of:

receiving information identifying a level of random access functionality selected by a user for a program that is to be provided to the user at a future time;

enabling the level of random access functionality responsive to at least a history of program purchases by the user.

57. (New) The method of claim 54, wherein the level random access functionality include at least one of fast forward, fast rewind, or pause.

58. (New) A method comprising the steps of:

receiving information identifying a level of random access functionality selected by a user for a program that is to be provided to the user at a future time;

providing the program to the user; and

enabling the level of random access functionality for the program responsive to at least a priority level corresponding to the user.

59. (New) The method of claim 54, wherein the priority level is determined responsive to at least billing information corresponding to the user .

60. (New) A method comprising the steps of:

determining a characteristic of a user's past viewing pattern; and

enabling a level of random access functionality for a program requested by the user responsive to at least the determined characteristic.

61. (New) The method of claim 54, wherein the level random access functionality include at least one of fast forward, fast rewind, or pause.

E1 cont.

62. (New) A method comprising the steps of:

receiving information identifying a level of random access functionality selected by a user for a program that is to be provided to the user at a future time;

enabling the level of random access functionality responsive to the information, including enabling a first plurality of random access functions during a first portion of the program and enabling a second plurality of random access functions during a second portion of the program, wherein the first plurality of random access functions include a different combination of random access functions than the second plurality of random access functions.

63. (New) The method of claim 62, wherein the random access functionality include least one of fast forward, fast rewind, pause, or play.

64. (New) The method of claim 62, wherein the first portion of the program is provided using a first content delivery mode and the second portion of the program is provided using a second content delivery mode.

65. (New) A method comprising the steps of:

receiving information identifying a level of random access functionality selected by a user for a program that is to be provided to the user at a future time;

enabling the level of random access functionality responsive to the information, wherein a first lag-time is associated with a random access function when the random access function is invoked during a first portion of the program, and a second lag-time is associated with the random access function when the random access function is invoked during a second portion of the program.

66. (New) The method of claim 65, wherein the random access function is one of fast forward, fast rewind, pause, or play.

67. (New) The method of claim 65, wherein the first portion of the program is provided using a first content delivery mode and the second portion of the program is provided using a second content delivery mode.

E1 cont.

68. (New) A method comprising the steps of:

receiving a request from a user for implementing a random access function; and

providing the user with a first selectable option and a second selectable option, wherein selecting the first selectable option results in the random access function being implemented after a first time period and selecting the second selectable option results in the random access function being implemented after a second time period that is shorter than the first time period.

69. (New) The method of claim 68, wherein selecting the second option results in additional expense for the user.

70. (New) A method comprising the steps of:

receiving a plurality of requests from a user for implementing a plurality of respective random access functions;

enabling the plurality of respective random access functions; and

communicating to the user a level of consumption of random access functionality responsive to enabling the plurality of respective random access functions.

71. (New) The method of claim 70, wherein the user is provided with information indicating an expense incurred by the user for the plurality of respective random access functions.

72. (New) The method of claim 70, wherein the user is provided with a graphical representation indicating the level of consumption of random access functionality.

73. (New) A method comprising the steps of:

receiving a user reservation request identifying at least a desired level of random-access functionality; and

assigning at least two different content delivery modes to a plurality of digital transmission channels responsive at least in part to the user reservation request, wherein the at least two different content delivery modes include a session-based delivery mode and a non-session-based delivery mode, wherein a first level of random access functionality is enabled for content provided via the session-based delivery mode and a second level of random access functionality is enabled for content provided via the non-session-based delivery mode, the second level of random access functionality being more limited than the first level of random access functionality, the first level of random access functionality and the second level of random access functionality being enabled by video data received at respective user locations after respective requests for random access functions have been provided by respective users.

E 1 cont.

74. (New) The method of claim 73, wherein the user reservation request identifies a date and time that a user wishes to reserve for viewing a program in the future, a preferred content delivery mode, and a price that the user is willing to pay to have a reservation request fulfilled.

75. (New) The method of claim 73, wherein the at least two different content delivery modes are selected from the group consisting of broadcast, pay-per-view, video-on-demand, and near video-on-demand.

76. (New) A bandwidth allocation manager for determining bandwidth allocation in a digital broadband delivery system, wherein the bandwidth allocation manager dynamically assigns at least two different content delivery modes to a plurality of digital transmission channels based at least partially on a user reservation request provided by a user, wherein the user reservation request comprises a plurality of user preferences identifying at least a desired level of random access functionality, wherein the at least two different content delivery modes include a session-based delivery mode and a non-session-based delivery mode, wherein a first level of random access functionality is enabled for content provided via the session-based delivery mode and a second level of random access functionality is enabled for content provided via the non-session-based delivery mode, the second level of random access functionality being more limited than the first level of random access functionality, the first level of random access functionality and the second level of random access functionality being enabled by transmitting video data that is received at respective user locations after respective requests for invoking corresponding random access functions have been provided by respective users.

E1 cont.

77. (New) The bandwidth allocation manager of claim 76, wherein the user reservation request identifies a date and time that a user wishes to reserve for viewing a program in the future, a preferred content delivery mode, and a price that the user is willing to pay to have a reservation request fulfilled.

78. (New) The bandwidth allocation manager of claim 76, wherein the at least two different content delivery modes are selected from the group consisting of broadcast, pay-per-view, video-on-demand, and near video-on-demand.

79. (New) A system comprising:

a bandwidth allocation manager that determines a bandwidth allocation schedule in a digital broadband delivery system based at least partially on a user reservation

request, wherein the user reservation request comprises a plurality of user preferences identifying at least a desired level of random access functionality; and

a network manager in communication with the bandwidth allocation manager, wherein the network manager allocates bandwidth according to the bandwidth allocation schedule determined by the bandwidth allocation manager; and

a server that enables the desired level of random access functionality by transmitting video data that is received at a user location after a request for invoking a corresponding random access function has been provided by the user.

80. (New) The system of claim 79, wherein the network manager allocates bandwidth to an auxiliary digital transmission channel that enables random access functionality for a program transmitted by another digital transmission channel.

E1 cont'd.

81. (New) A digital home communication terminal (DHCT) comprising:

memory for storing information identifying a desired level of random access functionality identified by a user for a program to be transmitted to the user at a future time; and

a tuner configured to transmit the information to a bandwidth allocation manager, wherein the bandwidth allocation manager is configured dynamically allocate bandwidth in a digital broadband delivery system;

wherein the DHCT is configured to enable the desired level of random access functionality using video data received by the DHCT after a request for invoking a corresponding random access function is received from a user.

82. (New) The DHCT of claim 81, wherein the program is received by the DHCT via a first digital transmission channel and the video data is received by the DHCT via a second digital transmission channel.